

Part 3

Review of Claims

63G-9-301 Audit and approval of claims -- Overexpenditure by agencies.

- (1)
 - (a) The Board of Examiners shall audit any claim presented to it, if the settlement of the claim is required by law.
 - (b) If the claim is approved, the board shall transmit it to the Legislature with a statement of the reasons for the approval.
- (2) When an agency's line item appropriation has been overexpended and a written report is submitted to the board as required by Section 63J-1-217, the board shall review the report and either:
 - (a) recommend and submit to the Legislature any supplemental appropriations or corrective legislation that may be needed; or
 - (b) recommend other internal procedures or policies that will make an overexpenditure in the future unlikely.

Amended by Chapter 183, 2009 General Session

63G-9-302 Form for presentment of claim against the state or political subdivision.

Any person having a claim against the state or a political subdivision, for which funds have not been provided for the payment thereof, or the settlement of which is not otherwise provided for by law, must present the same to the Board of Examiners, accompanied by a statement showing the facts constituting the claim.

Renumbered and Amended by Chapter 382, 2008 General Session

63G-9-303 Meeting to examine claims -- Notice of meeting.

- (1) At least 60 days preceding the annual general session of the Legislature, the board shall hold a session for the purpose of examining the claims referred to in Section 63G-9-302, and may adjourn from time to time until the work is completed.
- (2) The board shall cause notice of such meeting or meetings to be published on the Utah Public Notice Website created in Section 63F-1-701.

Amended by Chapter 118, 2016 General Session

63G-9-304 Adjustment of claims -- Recommendations to Legislature.

- (1) The board must, at the time designated, proceed to examine and adjust all claims referred to in Section 63G-9-302, and may hear evidence in support of or against them, and shall report to the Legislature the facts and recommendations concerning them as it may think proper.
- (2) In making its recommendations, the board may state and use any official or personal knowledge which any member of the board may have touching such claims.
- (3) The board shall not pass upon or send to the Legislature any claim for which the state or a political subdivision would not otherwise be liable were it not for its sovereign immunity.
- (4) Notwithstanding Subsection (3), claims wherein the state or a political subdivision would be liable, were it not for its sovereign immunity, whether recommended by the board for approval

or disapproval, shall be reported by the board to the Legislature with appropriate findings and recommendations as above provided.

Renumbered and Amended by Chapter 382, 2008 General Session

63G-9-305 Publication of abstract of claims allowed and rejected.

The board must make up its report and recommendations at least 30 days before the meeting of the Legislature; and a brief abstract of the report, showing the claims rejected, and those allowed and the amounts thereof, must be published in a newspaper published at the seat of government before the meeting of the Legislature for such time as the board may prescribe.

Renumbered and Amended by Chapter 382, 2008 General Session

63G-9-306 Reconsideration of rejected claims.

The board shall not entertain for a third time a demand against the state or a political subdivision once rejected by it or by the Legislature, unless the facts or reasons are presented to the board as in actions between private parties would furnish sufficient ground for granting a new trial.

Renumbered and Amended by Chapter 382, 2008 General Session